

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NEW YORK

Case number (if known) \_\_\_\_\_ Chapter 11

Check if this is an amended filing

## Official Form 201

# Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	221 Himrod St LLC		
2. All other names debtor used in the last 8 years	Include any assumed names, trade names and doing business as names		
3. Debtor's federal Employer Identification Number (EIN)	27-1368084		
4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business	
	221 Himrod Street Brooklyn, NY 11237	4403 15th Avenue, #155 Brooklyn, NY 11219	
	Number, Street, City, State & ZIP Code	P.O. Box, Number, Street, City, State & ZIP Code	
	Kings	Location of principal assets, if different from principal place of business	
	County	Number, Street, City, State & ZIP Code	
5. Debtor's website (URL)			
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify: _____		

Debtor 221 Himrod St LLC  
Name

Case number (if known) \_\_\_\_\_

## 7. Describe debtor's business

## A. Check one:

Health Care Business (as defined in 11 U.S.C. § 101(27A))  
 Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
 Railroad (as defined in 11 U.S.C. § 101(44))  
 Stockbroker (as defined in 11 U.S.C. § 101(53A))  
 Commodity Broker (as defined in 11 U.S.C. § 101(6))  
 Clearing Bank (as defined in 11 U.S.C. § 781(3))  
 None of the above

## B. Check all that apply

Tax-exempt entity (as described in 26 U.S.C. §501)  
 Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)  
 Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

## 8. Under which chapter of the Bankruptcy Code is the debtor filing?

## Check one:

Chapter 7  
 Chapter 9  
 Chapter 11. Check all that apply:

The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).  
 The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).  
 A plan is being filed with this petition.  
 Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).  
 The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.  
 The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

 Chapter 12

## 9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

No.  
 Yes.

If more than 2 cases, attach a separate list.

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

## 10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

No  
 Yes.

List all cases. If more than 1, attach a separate list

Debtor See Attachment \_\_\_\_\_ Relationship \_\_\_\_\_  
District \_\_\_\_\_ When \_\_\_\_\_ Case number, if known \_\_\_\_\_

Debtor 221 Himrod St LLC  
Name

Case number (if known)

**11. Why is the case filed in this district?** *Check all that apply:*

Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**  No  
 Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention? (Check all that apply.)** It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

 It needs to be physically secured or protected from the weather. It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options). Other \_\_\_\_\_**Where is the property?** \_\_\_\_\_

Number, Street, City, State &amp; ZIP Code

**Is the property insured?** No Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information**

**13. Debtor's estimation of available funds** *Check one:*

Funds will be available for distribution to unsecured creditors.

After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**

<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input type="checkbox"/> 200-999		

**15. Estimated Assets**

<input type="checkbox"/> \$0 - \$50,000	<input checked="" type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

**16. Estimated Liabilities**

<input type="checkbox"/> \$0 - \$50,000	<input checked="" type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

Debtor

221 Himrod St LLC

Name

Case number (if known)

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 3, 2023  
MM / DD / YYYY

**X** /s/ Zalmen Wagschal

Signature of authorized representative of debtor

Zalmen Wagschal

Printed name

Title Sole Member

**18. Signature of attorney**

**X** /s/ Julie Curley

Signature of attorney for debtor

Date April 3, 2023

MM / DD / YYYY

Julie Curley

Printed name

Kirby Aisner & Curley LLP

Firm name

700 Post Road

Suite 237

Scarsdale, NY 10583

Number, Street, City, State & ZIP Code

Contact phone \_\_\_\_\_

Email address jcurley@kacllp.com

4325494 NY

Bar number and State

Debtor 221 Himrod St LLC \_\_\_\_\_ Case number (*if known*) \_\_\_\_\_  
 Name \_\_\_\_\_

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:  
**EASTERN DISTRICT OF NEW YORK**

Case number (*if known*) \_\_\_\_\_ Chapter 11

Check if this an amended  
filing

**FORM 201. VOLUNTARY PETITION**

**Pending Bankruptcy Cases Attachment**

Debtor	<u>1427 43 ST LLC</u>	Relationship to you	Affiliate
District	<u>EDNY</u>	When <u>4/4/23</u>	Case number, if known
Debtor	<u>299 Throop Ave LLC</u>	Relationship to you	<u>23-</u>
District	<u>EDNY</u>	When <u>4/4/23</u>	Case number, if known
Debtor	<u>634 Wilson Ave LLC</u>	Relationship to you	<u>Affiliate</u>
District	<u>EDNY</u>	When <u>4/4/23</u>	Case number, if known
Debtor	<u>867-871 Knickerbocker LLC</u>	Relationship to you	<u>23-</u>
District	<u>EDNY</u>	When <u>4/4/23</u>	Case number, if known

**United States Bankruptcy Court**  
**Eastern District of New York**

In re 221 Himrod St LLC

Debtor(s)

Case No.

Chapter 11

**LIST OF EQUITY SECURITY HOLDERS**

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Zalmen Wagschal 4403 15th Ave #155 11219		100%	

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the Sole Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date April 3, 2023Signature /s/ Zalmen Wagschal  
Zalmen Wagschal

*Penalty for making a false statement of concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

**United States Bankruptcy Court**  
**Eastern District of New York**

In re 221 Himrod St LLC

Debtor(s)

Case No.

Chapter

11

**STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION**

I, Zalmen Wagschal, declare under penalty of perjury that I am the Sole Member of 221 Himrod St LLC, and that the following is a true and correct copy of the resolutions adopted by the Board of Managers of said Company at a special meeting duly called and held on the 3rd day of April, 2023.

"Whereas, it is in the best interest of this Company to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Zalmen Wagschal, Sole Member of this Company, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Zalmen Wagschal, Sole Member of this Company is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Zalmen Wagschal, Sole Member of this Company is authorized and directed to employ Erica Aisner , attorney and the law firm of Kirby Aisner & Curley LLP to represent the corporation in such bankruptcy case."

Date April 3, 2023Signed /s/ Zalmen Wagschal  
Zalmen Wagschal

Resolution of Board of Managers  
of  
221 Himrod St LLC

Whereas, it is in the best interest of this Company to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Zalmen Wagschal, Sole Member of this Company, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Zalmen Wagschal, Sole Member of this Company is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Zalmen Wagschal, Sole Member of this Company is authorized and directed to employ Erica Aisner , attorney and the law firm of Kirby Aisner & Curley LLP to represent the corporation in such bankruptcy case.

Date April 3, 2023

Signed /s/ Zalmen Wagschal

Date \_\_\_\_\_

Signed \_\_\_\_\_

**United States Bankruptcy Court  
Eastern District of New York**

In re 221 Himrod St LLC

Debtor(s)

Case No.

Chapter 11

**VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s) or attorney for the debtor(s) hereby verify that the attached matrix (list of creditors) is true and correct to the best of their knowledge.

Date: April 3, 2023

/s/ Zalmen Wagschal  
Zalmen Wagschal/Sole Member  
Signer/Title

Date: April 3, 2023

/s/ Julie Curley  
Signature of Attorney  
Julie Curley  
Kirby Aisner & Curley LLP  
700 Post Road  
Suite 237  
Scarsdale, NY 10583  
Fax:

AB Plumbing  
6010 New Utrecht Avenue  
Brooklyn, NY 11219

Anthony Cuevas  
233 Suydam Street, Apt. B  
Brooklyn, NY 11237

Anthony Cuevas  
c/o Burns & Harris, Esqs.  
233 Broadway, Suite 900  
New York, NY 10279

Arthur Greig, as Receiver  
98 Riverside Drive  
New York, NY 10024

Arthur Greig, Receiver  
98 Riverside Dr.  
New York, NY 10024

Fannie Mae  
1100 15th St NW  
Washington, DC 20005

Fannie Mae  
Attn: Daniel Corrigan and Michael Harary  
c/o Windels Marx Lane & Mittendorf, LLP  
New York, NY 10019

Fleischmann PLLC  
150 Broadway Suite 900  
New York, NY 10038

FR Contracting Corp  
445 East 5th Street, Suite #A3  
11218

Goldberg, Lustig, Steckler PLLC  
188 Montague Street  
Brooklyn, NY 11211

Greystone Servicing Corporation, Inc.  
419 Belle Air Lane  
Warrenton, VA 20186

Internal Revenue Service  
Centralized Insolvency Operations  
PO Box 7346  
Philadelphia, PA 19101-7346

Law Office of Lawrence R. Kulak  
1430 Broadway Suite 1509  
New York, NY 10018

NYC Corporation Counsel  
100 Church Street, RM 5-240  
New York, NY 10007

NYC Dept. of Finance  
345 Adams Street, 3rd Floor  
Brooklyn, NY 11201

NYC Environmental Control Board  
66 John St #10  
New York, NY 10038

NYS Dept. of Taxation & Finance  
Bankruptcy/ Special Procedures Section  
PO Box 5300  
Albany, NY 12205-0300

Office of the United States Trustee  
One Bowling Green  
New York, NY 10004-1408

Power Rooter  
P. O. Box 190792  
Brooklyn, NY 11219

Pristine Facility Services Inc.  
4118 14th Ave Suite #199  
Brooklyn, NY 11219

Quix  
1254 Utica Ave  
Brooklyn, NY 11203

SBS Boiler  
199 Lee Ave PMB 551  
Brooklyn, NY 11211

**United States Bankruptcy Court**  
**Eastern District of New York**

In re 221 Himrod St LLC

Debtor(s)

Case No.  
Chapter

11

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for 221 Himrod St LLC in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

None [Check if applicable]

April 3, 2023

Date

/s/ Julie Curley

Julie Curley

Signature of Attorney or Litigant  
Counsel for 221 Himrod St LLC

Kirby Aisner & Curley LLP

700 Post Road  
Suite 237  
Scarsdale, NY 10583  
Fax:  
jcurley@kacllp.com

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

**STATEMENT PURSUANT TO LOCAL  
BANKRUPTCY RULE 1073-2(b)**

**DEBTOR(S):** 221 Himrod St LLC      **CASE NO.:** \_\_\_\_\_

Pursuant to Local Bankruptcy Rule 1073-2(b), the debtor (*or any other petitioner*) hereby makes the following disclosure concerning Related Cases, to the petitioner's best knowledge, information and belief:

[NOTE: Cases shall be deemed "Related Cases" for purposes of E.D.N.Y. LBR 1073-1 and E.D.N.Y. LBR 1073-2 if the earlier case was pending at any time within eight years before the filing of the new petition, and the debtors in such cases: (i) are the same; (ii) are spouses or ex-spouses; (iii) are affiliates, as defined in 11 U.S.C. § 101(2); (iv) are general partners in the same partnership; (v) are a partnership and one or more of its general partners; (vi) are partnerships which share one or more common general partners; or (vii) have, or within 180 days of the commencement of either of the Related Cases had, an interest in property that was or is included in the property of another estate under 11 U.S.C. § 541(a).]

NO RELATED CASE IS PENDING OR HAS BEEN PENDING AT ANY TIME.  
 THE FOLLOWING RELATED CASE(S) IS PENDING OR HAS BEEN PENDING:

1. CASE NO.: 23- JUDGE: DISTRICT/DIVISION: EDNY

DEBTOR NAME: 1427 43 ST LLC

CASE STILL PENDING (Y/N): Y [If closed] Date of closing:

CURRENT STATUS OF RELATED CASE: Pending  
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (*Refer to NOTE above*): Affiliate

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: 1427 43 Street, Brooklyn, New York

2. CASE NO.: 23- JUDGE: DISTRICT/DIVISION: EDNY

DEBTOR NAME: 299 Throop Ave LLC

CASE STILL PENDING (Y/N): Y [If closed] Date of closing:

CURRENT STATUS OF RELATED CASE: Pending  
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (*Refer to NOTE above*): Affiliate

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: 299 Throop Avenue, Brooklyn, New York

(OVER)

## DISCLOSURE OF RELATED CASES (cont'd)

3. CASE NO.: 23- JUDGE: DISTRICT/DIVISION: EDNY

DEBTOR NAME: 634 Wilson Ave LLC

CASE STILL PENDING (Y/N): Y [If closed] Date of closing:

CURRENT STATUS OF RELATED CASE: Pending

(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (Refer to NOTE above): Affiliate

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: 634 Wilson Avenue, Brooklyn, New York

4. CASE NO.: 23- JUDGE: DISTRICT/DIVISION: EDNY

DEBTOR NAME: 867-871 Knickerbocker LLC

CASE STILL PENDING (Y/N): Y [If closed] Date of closing:

CURRENT STATUS OF RELATED CASE: Pending

(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (Refer to NOTE above): Affiliate

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: 867-871 Knickerbocker Avenue, Brooklyn, New York

*NOTE:* Pursuant to 11 U.S.C. § 109(g), certain individuals who have had prior cases dismissed within the preceding 180 days may not be eligible to be debtors. Such an individual will be required to file a statement in support of his/her eligibility to file.

TO BE COMPLETED BY DEBTOR/PETITIONER'S ATTORNEY, AS APPLICABLE:

I am admitted to practice in the Eastern District of New York (Y/N): Y

CERTIFICATION (to be signed by pro se debtor/petitioner or debtor/petitioner's attorney, as applicable):

I certify under penalty of perjury that the within bankruptcy case is not related to any case now pending or pending at any time, except as indicated elsewhere on this form.

/s/ Julie Curley

Julie Curley  
 Signature of Debtor's Attorney  
 Kirby Aisner & Curley LLP  
 700 Post Road  
 Suite 237  
 Scarsdale, NY 10583  
 Fax:

Signature of Pro Se Debtor/Petitioner

Signature of Pro Se Joint Debtor/Petitioner

Mailing Address of Debtor/Petitioner

City, State, Zip Code

Area Code and Telephone Number

Failure to fully and truthfully provide all information required by the E.D.N.Y. LBR 1073-2 Statement may subject the debtor or any

DISCLOSURE OF RELATED CASES (cont'd)

other petitioner and their attorney to appropriate sanctions, including without limitation conversion, the appointment of a trustee or the dismissal of the case with prejudice.

NOTE: Any change in address must be reported to the Court immediately IN WRITING. Dismissal of your petition may otherwise result.